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10/806,846	03/23/2004	Francois Bourdoncle	13547-003	2479

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EXAMINER
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2169	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/806,846	BOURDONCLE, FRANCOIS
	Examiner	Art Unit
	Jacob F. Bétit	2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 July 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 8-14* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 8-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Remarks

1.   In response to communications filed on 23 July 2008, claims 1 and 8 have been amended

per the applicant's request. Claims 1 and 8-14 are presently pending in the application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 10, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by US

6643641 (Snyder).

   Claim 1 is anticipated by the following sections of Snyder:

 A computer-implemented process for searching among a collection of documents, the collection

comprising a referencing document and a referenced document referred to in the referencing

document by one or more links, the process comprising:

        aggregating the referencing document and the referenced document referenced in the

referencing document to create an aggregate document, the aggregate document not existing as a

document in said collection of documents, whereby said aggregate document is associated with

content capable of being indexed, said content being provided by the referenced document and

the referencing document (see column 14, lines 22-40, indexes or categorizes information on

web pages, column 24, lines 9-20, frame detected, processes the text and graphics of the frame

and the contents both);

indexing said created aggregate document, based on index terms contained in the

referencing document and the referenced document forming the aggregate document, to generate

an index of aggregated documents (column 14, lines 22-40, indexes or categorizes information

on web pages);

searching by operating on said index (see column 14, lines 34-40, subject page is selected

in a search); and

returning, as a result of the searching step, a located aggregate document (see column 14,

lines 41-50, search results appear on the user's browser).

Claim 10 is anticipated as follows: displaying an aggregate document with a content of

the referencing document; and information or attribute of the referenced document (The snapshot

of Snyder displays the content of the referencing document which includes the information of the

referencing document).

Claim 14 is anticipated as follows: Col 9 line 57-61 teaches there being multiple

referenced image files, the information of each is incorporated into the displayed snapshot, see

claim 10 rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6643641,

known hereafter as Snyder in view of US 2002/0052894, known hereafter as Bourdoncle.

Claim 8 is rejected for the following reasons:

Snyder discloses the limitations of claim 8 as seen in the rejection of claim 1 as listed above,

except using an inverse index.   This is taught by Bourdoncle in paragraph 42, thus it would have

been obvious to one of ordinary skill in the art at the time of the invention to create an inverted

index the aggregate documents based on as is it provides the advantage of supporting ranking

and other features as listed in the last sentence of paragraph 42 of Bourdoncle.

Claim 9 is rejected for the following reasons:

The search engine of claim 8, further comprising:

See Claim 10 rejection and Figure 3 of Snyder.

6.   Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

6643641, known hereafter as Snyder in view of Google Hacks.

Claim 11 is rejected as follows:

Snyder teaches the claims upon which claim 11 is dependent and the collection having at

least two referenced documents as described above, but fails to expressly disclose a step

of selecting a subset of the referenced documents. This is taught however by Google

Hacks(in hack 31). The following is an excerpt form Google hacks:

Google Images offers a few special syntaxes:

intitle:

Finds keywords in the page title. This is an excellent way to narrow down search results.

filetype:

Finds pictures of a particular type. This only works for JPEG and GIF, not BMP, PNG, or any number of other

formats Google doesn't index. Note that searching for filetype:jpg and filetype:jpeg will get you different results,

because the filtering is based on file extension, not some deeper understanding of the file type.

inurl:

As with any regular Google search, finds the search term in the URL. The results for this one can be confusing. For

example, you may search for inurl:cat and get the following URL as part of the search result:

www.example.com/something/somethingelse/something.html

Hey, where's the cat? Because Google indexes the graphic name as part of the URL, it's probably there. If the

page above includes a graphic named *cat.jpg*, that's what Google is finding when you search for inurl:cat. It's

finding the cat in the name of the picture, not in the URL itself.

site:

As with any other Google web search, restricts your results to a specified host or domain. Don't use this to restrict

results to a certain host unless you're really sure what's there. Instead, use it to restrict results to certain domains.

For example, search for football.site:uk and then search for football.

site:com is a good example of how dramatic a difference using site: can make.

Thus it allows users to display the referenced images from a referencing page, and select

a subset by specifying a file type. Thus, it would have been obvious to one of ordinary

skill in the art at the time of the invention to allow the selection of a subset of referenced

documents do to the advantage of narrowing the search results.

Claim 12 is rejected as follows:

Snyder teaches the claims upon which claim 12 is dependent and the collection having at

least two referenced documents as described above, but fails to expressly disclose a step

of sorting the referenced documents. The rejection of claim 11 shows displaying the

referenced documents, and the step of sorting is taught by Google Hacks(in hack 32).

Thus, it would have been obvious to one of ordinary skill in the art to sort the results do

to the advantages of aiding in the location of the desired results.

Claim 13 is rejected as follows:

Snyder teaches the claims upon which claim 13 is dependent , but fails to expressly

disclose a step of the attribute referenced documents. The rejection of claim 11 shows

displaying the referenced documents, and this is taught by Google Hacks(in hack 31).

Thus, it would have been obvious to one of ordinary skill in the art to sort the results do

to the advantages of allowing quick access the to document.

Response to Arguments

7.   Applicant's arguments filed 23 July 2008 have been fully considered but they are not

persuasive.

        In response to the applicant's remarks directed to the examiner's citations, the examiner

has tried to clarify the citations for claim 1 above. If the applicant has further issues with the

examiner's citations, the applicant is invited to call the examiner at the number found at the end

of the office action.

In response to the applicant's arguments that Snyder is silent regarding a referencing document that references a referenced document or an aggregation of these documents (bottom of page 6 of the response), the arguments have been considered, but are not deemed persuasive. Column 24 of the reference states that "When a frame page is detected, the Web Agent A checks for a download complete message (end-of-file) for each framed element and processes the text and graphics of the frame and the contents both." This processing includes both the indexing and the storage of a snapshot of the page for later retrieval. Each framed element is a different referenced document. The main page which calls the framed element is a referencing document. When the frame page is detected and the various frames are downloaded and processed together, the document is being aggregated.

The applicant states "the web page processed by the crawling agent is already a document comprising one or more frames" (bottom of page 7 of the response). A web page which is made up of frames is not stored as a single document. It appears as a single document after the frames have been downloaded and stored into a buffer, but the step of putting these frames together is requires. This is an aggregation step.

In response to the applicant's arguments that "for one web page as input (e.g., one document), Snyder recovers index terms related to one URL", the arguments have been considered, but are not deemed persuasive. While it is true that Snyder recovers index terms for each URL, a web page as it is displayed is not the same as the web page as it is stored. That one web page is put together from multiple html files that are linked from the frame html file. There

is a reduction in the number of documents being indexed because a web page containing several

frames (including all the html documents that make those frames) will only be indexed once.

In response to the applicant's arguments directed towards internal versus external links,

the arguments have been considered, but are not deemed persuasive. The applicant's claims state

referred to in the referencing document by one or more links. It does not distinguish state that

link must be a link that is internal to a domain, "frame_b.htm" or one that is external to the

domain. Further it is noted that frame documents can link both to internal and external (to the

domain) documents. While Snyder does note that indexing the frames that are external to the

domain might not be desired, this process would be obvious in view of what Snyder discloses.

Also, whether linking to internal or external documents, frames are always referring to separate

files. "frame_a.html" is a file that is being referenced in a referencing document. If the

applicant still has questions as to if a frame is being aggregated from multiple documents, the

applicant should try creating an html file with the following code:

```
<frameset cols = "50%,50%">
<frame src = http://www.uspto.gov>
<frame src = http://www.doc.gov>
</frameset>
```

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacob F. Bétit whose telephone number is (571)272-4075. The

examiner can normally be reached on Monday through Friday 10:30 am to 6:30 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

/jfb/   /Tony Mahmoudi/
Examiner, Art Unit 2169   Supervisory Patent Examiner, Art Unit
24 Oct 2008   2169